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#### 1. **PURPOSE**

1.1 To establish a management structure, policy and procedure for all internal City operations for the procurement and safe handling of hazardous materials, and for the environmentally sound management of hazardous wastes which comply with Federal, State and local regulations.

#### 2. **SCOPE**

2.1 This regulation applies to all City facilities and operations under the responsibility of the City Manager.

#### 3. **DEFINITIONS**

3.1 Definitions are listed in Appendix B.

#### 4. RESPONSIBILITY

4.1 The Hazardous Materials Management Program (HMM Program) is responsible for the overall management of the Hazardous Materials Management Plan (HMM Plan). Responsibilities for specific departments and/or positions are defined in Procedures outlined in Section 6.

#### 5. **POLICY**

- 5.1 It is the policy of the City of San Diego for:
  - 1. all activities involving the purchase, handling, storage, or disposal of hazardous materials to be conducted in compliance with all applicable local, State and Federal laws and regulations;
  - 2. hazardous materials or processes which result in the generation of hazardous wastes to only be used when it can be shown that no alternative which is less hazardous or method which generates less waste is available;
  - 3. a hazardous waste minimization program to be established to implement procedures

		which substitute non-hazardous materials, modify processes, recycle chemicals, and use similar minimization technologies whenever feasible;
	4.	all City facilities to be open to inspection by regulatory agency personnel;
Authorized		
		(Signed by Jack McGrory)
		CITY MANAGER

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- employee training to be provided as per the Administrative Regulation 75.75 on Hazardous Materials Training; and e.
- each City facility which has hazardous materials, hazardous wastes, or underground f. storage tanks will prepare a plan to address ongoing and emergency procedures as required per local, State, and Federal regulations.

# 6.

<u>PROCEDURE</u>		
Responsibility		Action
Asbestos Program	6.1	Administers the Asbestos Policy and Management Plan which includes using inspections to determine if asbestos abatements are required; tracking costs of asbestos abatement during repair, remodeling and reconstruction projects; reviewing requests for proposals (RFP's) to survey asbestos and to develop a containment or removal plan prior to Council Action; and reviewing bid packages developed from the RFP specifications.
Auditors	6.2	Receives a copy of the manifest which includes the signature of the disposal facility's owner or operator acknowledging receipt of the waste before payment is authorized to the hauler or TSDF.
Engineering and Development	6.3	Maintains an as needed consultant list to perform environmental engineering functions.
General Services, Communications & Electrical Division	6.4	Notifies, via Station 38, staff and agencies of a hazardous materials incident per the Communications and Electrical's call out list.
Property	6.5	Notifies HMM Program of all City lessees/tenants of City property on or adjacent to City employee work sites, who are under regulatory permit for use of any hazardous materials.
Product Approval Committee	6.6	Develops the acceptable products list of hazardous materials that may be used at City facilities or operations. Committee members will consist of representatives from the HMM Program (chair), Safety Officer and their corresponding Industrial Hygienists, and Department/Division liaisons.

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- 6.7 Allows, in case of emergency, either the HMM Program or the Safety Offices to authorize the purchase of a product in quantities that will be needed to address the emergency.
- 6.8 Evaluates and determines the availability of substitute products, processes, or equipment which would achieve hazardous waste minimization.
- 6.9 Ensures that products shall be considered for purchase only if the label and the MSDS clearly state the contents, the hazard potential, and the protective measures required. Exceptions can be made if it can be shown that the product is stored or used only in areas where placarding provides this information.
- 6.10 Requires vendors to provide a copy of the MSDS to the requesting department for materials purchased on open City purchase orders, contracts, direct payments, or petty cash. Requires that only pre-approved materials may be purchased either on City purchase orders, contracts, direct payments or petty cash.

**Project Managers** 

6.11 Ensures that all major construction, maintenance, and repair contracts require the bidder to provide a listing of all hazardous materials they will use at the affected City facility, indicate the quantity and type of hazardous wastes they may generate, supply copies of any hazardous waste disposal documents to the project manager, and provide a copy of their Contingency Plan for evaluation by the HMM Program prior to awarding the bid.

**Purchasing** 

- 6.12 Develops in conjunction with the HMM Program bid contract language for the purchase of hazardous materials and the disposal of hazardous wastes.
- 6.13 Establish and maintain in each City storeroom a master MSDS for every product. Maintain sufficient copies of each MSDS on file for distribution to purchasers.

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6.14 Sends all contracts for hazardous materials/wastes recycling of hazardous wastes disposal, excluding underground tank removal and remediation, to the HMM Program for review during bid development and subsequent bid process.

#### Risk Management Safety and Environmental Health Division

- 6.15 Reviews City-wide accident and injury reports for frequency and severity rates regarding injuries and illness resulting from exposures to hazardous materials/wastes. Notifies the Hazardous Materials Program Manager (HMPM) of significant trends.
- 6.16 Advises the HMM Program of hazardous materials/wastes violations at City facilities or operation areas.

Waste Management Underground Storage Tank Program

- 6.17 Administers the Underground Storage Tank
  Management Program for City-owned or operated
  underground storage tanks. Administers Capital
  Improvement Program Projects for the remediation and
  the removal of old underground storage tanks and the
  installation of new underground storage tanks.
  Contracts for the annual tank precision testing for City
  facilities and tenants therein.
- 6.18 Provides the HMM Program with underground storage tank status reports for verification of the items on the County Department of Health Services Health Permit annual billing itemization.
- 6.19 Provides the HMM Program with two copies of each annual underground storage tank precision test results. HMM Program will forward copies to agencies and facilities after review for consistency with HMM Program records.
- 6.20 Organizes the payment of County and State permit fees and taxes for those sites or facilities that have waste generation from remediation projects or underground storage tanks. Provides the department coordinator for the facility generating the remediation project wastes with copies of the payment information and manifests of the waste disposal.

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Waste Management Hazardous Materials Management Program (HMM)

- 6.21 Administers the City's Hazardous Materials Management Plan.
- 6.22 Acts as a representative of City Manager to direct, coordinate and ensure departmental implementation of all new legislation affecting the City's responsibilities for hazardous materials management related to internal operations.
- 6.23 Reports significant issues to the City Manager's office in a timely manner.
- 6.24 Represents the City on hazardous materials management issues with local, State, and Federal regulatory agencies.
- 6.25 Reviews all pertinent pending and adopted legislation and regulations and assesses the potential impact to City operations. Disseminates information regarding codes and regulations related to hazardous materials and hazardous wastes. Modifies the City program to ensure ongoing compliance.
- 6.26 Reviews for accuracy and completeness all departmental instructions and standard operating procedures related to hazardous materials/wastes issues and approves prior to implementation.
- 6.27 Acts as a HMM Program technical staff informational liaison during emergency response activities with appropriate facility and emergency response contacts.
- 6.28 Develops, with the Purchasing Department, contract bid language for the disposal of hazardous wastes.
- 6.29 Assists and authorizes staff to respond to requesting departments/divisions and the Purchasing Department in evaluating requests for chemical, materials, services, and equipment which involve the use of hazardous materials or the disposal of hazardous wastes. Waste minimization will be recommended as appropriate.

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- 6.30 Coordinates and authorizes staff to coordinate with facility coordinators (FC) and department/division coordinates (DC) the preparation of Emergency Contingency and Business Plans and to ensure the plans are updated per regulatory requirements. Forwards copies of the plans to regulatory agencies upon approval and distributes the plans to submitting facilities.
- 6.31 Manages and authorizes staff to act as official compliance agents of the HMM Program regarding violations of policies, procedures, codes, and regulations pertaining to hazardous materials/ wastes management. This staff has the authority to initiate an immediate work stoppage at any City job site or facility where conditions indicate an imminent and serious danger to employees, the public, or the environment.
- 6.32 Manages and authorizes staff to routinely monitor and inspect City operations and facilities to ensure compliance with codes and regulations relating to hazardous materials/wastes. Accompanies or authorizes staff to accompany regulatory agents during inspections, and to act as an information liaison between the FC, DC and regulatory agents during inspections or follow-up activities.
- 6.33 Manages and authorizes staff to monitor the issuance and renewal of all permits and licenses related to hazardous materials/wastes are required. This excludes permits and licenses for underground storage tanks and asbestos removal
- 6.34 Coordinates and authorizes staff to ensure appropriate and timely payment of the Department of Health Services' annual Health Permit fees and the State Board of Equalization tax bills excluding those for underground tanks or asbestos removal.
- 6.35 Manages and authorizes staff to notify affected City Departments/Divisions/Sections and other regulatory entities of violations and activities under their purview as required by Federal, State, local or City regulations.

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Department/Division Heads

- 6.36 Confers with the HMPM on all unresolved hazardous materials and hazardous wastes issues.
- 6.37 Designates an on site FC, DC, and alternates as necessary to each location where hazardous materials are handled, stored, or disposed. The FC and DC are to be the most senior classified positions below the department or division head located at each facility. Confers with the HMPM for the designation of the FC when multiple departments are located at the same facility.
- 6.38 Develops, updates, and maintains current departmental/divisional instructions and standard operating procedures regarding hazardous materials management.
- 6.39 Ensures Emergency Contingency and Business Plans for any facility assigned to the department/division are prepared and updated.
- 6.40 Ensures that adequate resources, including funding and materials, are requested to implement, comply, and enforce the environmental regulatory requirements for the training and management of hazardous materials/wastes.
- 6.41 Encourages and supports the use of alternate methods and materials which result in source reduction and hazardous waste minimization
- 6.42 Ensures that performance plans include standards for complying with environmental regulatory requirements for training and management of hazardous materials/wastes.
- 6.43 Initiates appropriate disciplinary action when violations of the HMM Plan provisions and/or environmental regulatory requirements are found.
- 6.44 Ensures that employees will not be subject to retaliatory actions or reprisals for reporting violations of improper handling or disposal of hazardous materials/wastes as per Federal, State, and local regulations and the HMM Program.

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6.45 Ensures that any unusual incident or spill is reported to the HMM Program and regulatory agencies as required in Federal, State, and local regulations.

#### Facility Coordinator (FC)

- 6.46 To identify and offer comprehensive rehabilitation services to employees who are permanently disabled and unable to perform the duties of their job classification.
- 6.47 Coordinates with the DC and the HMM Program to resolve any environmental regulatory violations.
- 6.48 Maintains the following facility records: Business Plan, operating permits, training records, material safety data sheets, disposal records (includes manifests and receipts), weekly inspection reports, unusual incident and spill reports, and regulatory agency reports including tax records.
- 6.49 Reviews facility Emergency Contingency and Business Plans semi-annually, for accuracy and completeness, in conjunction with the DC. Coordinates the plan revisions with the HMM Program prior to submittal to the regulatory agency.
- 6.50 Reviews the weekly inspections reports for violations. Submits a report to the HMM Program of any violations.
- 6.51 Ensures that any unusual incidents or spills are reported to the HMPM and regulatory agencies as required in Federal, State, and local laws and regulations.
- 6.52 Ensures that all unidentified wastes including wastes left by the public on City facilities are tested and disposed of properly.
- 6.53 Notifies staff of the HMM Program policies, the regulatory changes, and the HMM Program training class schedules as disseminated from the HMM Program.

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6.54 Acts also as the DC for their own department/division when multiple departments/divisions are located at the same facility.

## Department/Division Coordinators (DC)

- 6.55 Implement the HMM Plan for areas under their purview.
- 6.56 Act as contact person with the HMM Program and regulatory agencies for facility inspections, tours, or follow-up actions.
- 6.57 Report any violations to the FC and HMM Program and coordinate with the FC and HMM Program to resolve any environmental regulatory violations.
- 6.58 Maintain the following records: Business Plan, training records, material safety data sheets, disposal records (includes manifests and receipts), weekly inspection reports, unusual incident and spill reports, and regulatory agency reports including tax records.
- 6.59 Review Emergency Contingency and Business Plans semi-annually for accuracy and completeness. Report Business Plan amendments to the FC and revise the Business Plan in conjunction with the FC and the HMM Program. The revised plan will be distributed after approval by the HMM Program and submitted to the regulatory agency.
- 6.60 Track materials purchased and wastes stored from the time of purchase until disposal through the weekly inspection report. Ensure, as indicated on the weekly inspection report, that appropriate labeling is applied to all hazardous material and hazardous waste containers. Send copies of the weekly inspection report to the FC.
- 6.61 Notify the HMM Program and FC, via Station 38 at 527-7660, of any improper disposal or unauthorized release of hazardous materials/wastes. Ensure that Unusual Incident or Spill Reports are completed and sent to the HMM Program and the FC.

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- 6.62 Ensure that all unidentified wastes including wastes left be the public on City facilities are tested and disposed of properly.
- 6.63 Notify staff HMM Program policies, regulatory changes, and the HMM Program training class schedules as disseminated from the HMM Program.
- Department/Division Liaison
- 6.64 May be appointed by department/division head to coordinate department/division-wide activities such as standard operating procedures and department/division instructions, with the HMM Program.

Supervisors

- 6.65 Implement the HMM Plan for areas under their purview.
- 6.66 Coordinates with the DC and the HMM Program to resolve any environmental regulatory violations.
- 6.67 Maintain MSDS of products in assigned area. Forward copies to DC and FC. Obtain MSDS from vendor or Purchasing Department;
- 6.68 Develop and revise Emergency Contingency and Business Plan semi-annually, in conjunction with the DC, for assigned area in accordance with all appropriate regulations.
- 6.69 Notify the DC of the following information via the weekly inspection report:
  - a. hazardous waste accumulation start date.
  - b. condition of the hazardous material and waste containers,
  - c. presence and condition of required labeling on containers and self-containment for storage areas, and
  - d. disposal of hazardous waste with copies of the manifests and related documents.

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- 6.70 Notify the HMPM and FC or DC, via Station 38 at 527-7660, of any improper disposal or any unauthorized release of hazardous materials/ wastes in City facilities or as a result of City operations. Complete an Unusual Incident or Spill Report and send copies to the HMM Program, FC and DC.
- 6.71 Dispose of all hazardous wastes as dictated by all Federal, State, and local regulations. Maintain disposal records including manifests and other related documents
- 6.72 Ensure that subordinates are properly trained in applicable health and safety codes and environmental regulations according to Administrative Regulation 75.75.
- 6.73 Shall comply with all Federal, State, and local regulations for the management of hazardous materials/wastes. Failure to comply shall be grounds for appropriate disciplinary action.
- 6.74 Shall not purchase, store, or handle hazardous materials nor dispose of hazardous wastes without direction from their supervisor, and proper training in the use, handling and disposal of hazardous materials.
- 6.75 Shall immediately notify their supervisor or Station 38 at 527-7660, if they observe violations in the storage, handling, disposal or spills of hazardous materials/wastes.

**Employees** 

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## APPENDIX A

# Legal Reference

See Appendix C

## Forms Involved

DHS 8022A - Uniform Hazardous Waste Manifest EPA 870012 - Notification of Hazardous Waste Activity Emergency Information Report (Unusual Incident and Spill Report) Hazardous Materials/Wastes Weekly Inspection Report

## Subject Index

Hazardous Materials Procedures Hazardous Waste Disposal Emergency Contingency Plan Employee Right to Know Material Safety Data Sheets

## **Administering Department**

Waste Management

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#### APPENDIX B

#### **DEFINITIONS**

Container

Any device, that is open or closed and portable, in which a material or waste can be stored, transported, recycled, or disposed.

Department/Division Coordinator (DC)

The individual and alternate designated by their department/division head, to coordinate and direct all hazardous materials and/or hazardous wastes activities of a department/division at a specified location or facility.

NOTE: Operations stations or buildings where personnel from multiple departments/ divisions may be working shall have designated a DC for each division from staff assigned to the location.

Disposal

All hazardous waste must be placed in a Department of Transportation (DOT) approved container, labeled with a completed hazardous waste label, transported by a licensed hauler, and disposed of at a licensed treatment, storage and disposal facility (TSDF). An inappropriate disposal is any of the following: the discharge, deposit, injection, dumping, spilling, leaking, or placing of any hazardous material or wastes into or on any land or water, so that such hazardous waste or any constituent thereof may enter the environment, or be emitted into the air, or discharged into any water or water basin.

Emergency Contingency/ Business Plan A document setting out an organized, planned, and coordinated set of actions to be followed in case of fire, explosion, natural disaster, or release of hazardous materials or wastes which could pose a threat to human health or the environment.

Facility

Any City owned or operated building, or group of buildings or property which is enclosed by a common fence or similarly controlled. NOTE: A facility may include personnel from multiple departments/divisions operating within the same yard or building.

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Facility Coordinator (FC)

The individual and alternates designated by their department head who are responsible for coordinating all activities of their facility to monitor and ensure compliance with all provisions of the City's Hazardous Materials Management Plan.

Generator

Any person or agency whose act or process results in the production of hazardous waste as described in CAC Title 22, or whose act first causes a hazardous waste to become subject to local, State, or Federal regulation.

Hazardous Material

A substance, or combination of substances, which because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either:

1. cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness;

OR

2. pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.

A hazardous material is a substance which is currently in use or is being stored for use in an operation or process.

Unless expressly provided otherwise, the term "hazardous material" shall be understood to also include extremely hazardous material

Hazardous Materials Management Plan (HMM Plan) The title of this Administrative Regulation which outlines the elements that address how the City of San Diego manages hazardous materials and wastes.

Hazardous Materials Management Program (HMM Program) The Program that monitors the City's use and disposal of hazardous materials and wastes. This Program also acts as the liaison between the City and regulatory agencies monitoring hazardous materials and wastes activities.

Hazardous Materials Program Manager (HMPM) The individual who supervises all aspects of the Hazardous Materials Management Program.

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Hazardous Waste

A waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either:

1. cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness;

OR

2. pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.

The shipping document originated and signed by the generator (EPA 8700-22 or DHS 8022A) which must be completed and accompany all shipments of hazardous wastes being transported to a licensed TSDF. This completed document is the only proof that the waste was disposed of in accordance with Federal, State, and local regulations.

The document provided by a vendor for each hazardous material which describes any hazardous properties of the material, and provides detailed information on how to safely use, handle, and store the substance and how to respond in the case of an unintentional exposure or release.

The reduction of the amount of hazardous waste generated by a process. This can be accomplished by changes such as product substitution, process modification, or process recycling.

The causing or allowing of hazardous materials or wastes, especially accidentally or unintentionally, to fall, flow, or run out, so as to be lost or wasted. The size of the spill will determine if the spill will need to be reported to regulatory or emergency response agencies (Contact the HMM Program when a spill occurs if assistance is needed to make that determination).

Manifest

Material Safety Data Sheet (MSDS)

Source Reduction

Spill

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Storage The containment of hazardous materials/wastes, either on a

temporary basis or for an extended period, in such a manner

as not to constitute disposal or use of such hazardous

materials/wastes.

Transporting The movement of an identified or suspected hazardous waste

from one facility to another. <u>NOTE</u>: Moving waste between various locations or storage areas within the same facility

does **NOT** constitute transporting.

Treatment, Storage, A State licensed facility either for the temporary storage or

or Disposal Facility (TSDF)

for the treatment or for the disposal of hazardous wastes.

Unusual Incident and This form must be filled out when over one gallon of a Spill Report hazardous material or hazardous waste is spilled. The co

hazardous material or hazardous waste is spilled. The copies of this report must be sent to the HMM Program, FC, and

DC.

Waste Minimization Techniques utilized to reduce the total amount of waste that

must be sent for off-site disposal or recycling. These techniques can include on-site recycling, process

modification and source reduction

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## APPENDIX C

# Summary of Applicable Codes, Regulations and Laws Governing Hazardous Materials or Wastes

#### Local

City of San Diego Municipal Code Industrial Waste Discharge Regulations San Diego County Code, Chapters 9-11, Title 6

## **State**

# California Administrative Code (CAC)

Title 8	Industrial Relations (Cal-OSHA)
Title 13	Motor Vehicle (Hazardous Material Transportation)
Title 19	Public Safety (Flammable Liquid Transportation)
Title 22	Social Security, Division 4, Environmental Health
Title 23	Water Quality (Hazardous Material Disposal) Underground Storage Tank Regulations

## California Health & Safety Code

Chapter 6.5 Hazardous Waste Control

Chapter 6.7 Underground Storage of Hazardous Substances

Chapter 6.95 Hazardous Materials Release Response Plans and Inventory

Uniform Fire Code

## **Federal**

40 CFR Protection of the Environment